

Message Text

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ACTION EB-07

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 4139

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PASS CAB (SIMMS)

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: US-UK CIVAIR NEGOTIATIONS: TARIFF ARTICLE

1. REF STATE 115321, FOLLOWING IS TEXT PROPOSED BY
USDEL FOR ADDITION TO DRAFT TARIFF ARTICLE. IT IS
DESIGNED TO RESPOND TO PROBLEM, RAISED IN COLEGATE'S
LETTER, REGARDING UNILATERAL US VETO OF INTERNATIONAL
TARIFFS, WHILE RETAINING INDEPENDENCE OF US CAB TO
FULFILL ITS STATUTORY RESPONSIBILITIES.

"THE CONTRACTING PARTIES RECOGNIZE THAT THE PROCEDURES
SET FORTH IN THIS ARTICLE FOR RESOLVING TARIFF DISPUTES
ALLOW ONE CONTRACTING PARTY, IN THE FINAL ANALYSIS, TO
PREVENT PROPOSED TARIFF CHANGES FROM ENTERING INTO
EFFECT. IT IS THE DESIRE OF THE CONTRACTING PARTIES TO
AVOID THIS SITUATION TO THE EXTENT POSSIBLE. TO THIS
END, THE CONTRACTING PARTIES HAVE AGREED TO THE FOLLOW-
ING ADDITIONAL STEPS:

(I) A CONTINUING WORKING GROUP WILL BE ESTABLISHED TO
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DISCUSS RATE-MAKING STANDARDS, AS OUTLINED IN ANNEX ()
ATTACHED HERETO. IT IS THE EXPECTATION OF THE CONTRACT-
ING PARTIES THAT THE IDEAS DEVELOPED THROUGH DISCUSSION
IN THIS WORKING GROUP WILL, OVER A PERIOD OF TIME, PERMIT
THE AERONAUTICAL AUTHORITIES TO APPLY COMMON RATE-MAKING
STANDARDS TO IATA AGREEMENTS AND TARIFFS FILED WITH
THEM.

(II) THE AERONAUTICAL AUTHORITIES WILL KEEP ONE ANOTHER INFORMED OF SUCH GUIDANCE AS THEY MAY GIVE TO THEIR OWN AIRLINES IN ADVANCE OF OR DURING IATA TRAFFIC CONFERENCES

(III) DURING THE PERIOD THAT THE AERONAUTICAL AUTHORITIES OF EITHER CONTRACTING PARTY HAVE IATA AGREEMENTS UNDER CONSIDERATION PURSUANT TO PARAGRAPH 5 ABOVE, THE CONTRACTING PARTIES MAY EXCHANGE VIEWS AND RECOMMENDATIONS, EITHER IN WRITING OR THROUGH ORAL PRESENTATION. SUCH SUBMISSIONS SHALL, IF REQUESTED BY EITHER CONTRACTING PARTY, BE PRESENTED TO THE AERONAUTICAL AUTHORITIES OF THE OTHER CONTRACTING PARTY, WHO SHALL TAKE THEM INTO ACCOUNT IN REACHING THEIR DECISION."

2. 2. POINTS RAISED IN STATE 115321 ARE APPRECIATED, WILL BE TAKEN INTO ACCOUNT THIS P.M. IN WORKING GROUP DISCUSSION BETWEEN O'MELIA, STYLES, KUTZKE, ROGERS, AND COLEGATE ON TARIFF ARTICLE. WILL REPORT OUTCOME SOONEST.

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Message Attributes

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